



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|-------------|----------------------|-------------------------------|------------------|
| 10/628,776 | 07/28/2003 | Kazushige Haruta | FUJO 14.955A (100794-0046) | 4506 |
| 26304 | 7590 | 10/05/2004 | EXAMINER | |
| KATTEN MUCHIN ZAVIS ROSENMAN 575 MADISON AVENUE NEW YORK, NY 10022-2585 | | | AGDEPPA, HECTOR A | |
| | | | ART UNIT | PAPER NUMBER |
| | | | 2642 | |

DATE MAILED: 10/05/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/628,776

Applicant(s)

HARUTA, KAZUSHIGE

Examiner

Hector A. Agdeppa

Art Unit

2642

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
 - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
 - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
 - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 July 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 28 July 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 7/28/03.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

1. Claims 1, 7, 13, 16, and 20 are rejected under 35 U.S.C. 102(e) as being anticipated by US 5,923,745 (Hurd).

Hurd teaches a method and system for routing calls including therein a network routing unit (NRU) 12 coupled to a public switched telephone network having stored therein steps for receiving a call message and performing processing of the call and answering or routing that call to a suitable termination point. (Col. 3, lines 34 – 57 and Col. 5, line 56 – Col. 6, line 3. Hurd also teaches an automatic call distributor 22 serving as a distribution circuit to route or distribute any received calls based on the transfer steps seen in Fig. 4 wherein a termination call transfer service of the public telephone switched network is used. (Col. 4, line 58 – Col. 5, line 28)

Furthermore, Hurd teaches a processor 56, in part comprising the NRU 12, which can be implemented as a mainframe, file server, workstation, or any other suitable data processing and storage facility for controlling the system and method already described. (Col. 10, lines 36 – 47) Finally, Hurd teaches an additional database, besides contact

Art Unit: 2642

control server 24 and memory 58, in the form of a network interface card 54 operable to communicate with the public switched telephone network 20 to transmit and receive data information. (Col. 8, lines 47 – 65)

Note that the above-mentioned databases, such as database 62, include information such as call center dynamic information, contact information, etc. all used in routing and therefore, such databases read on the claimed routing tables. Of course, any database will have table(s). A database is essentially just one or more tables or matrices of information. Moreover, as to the above-mentioned steps, transferring a call as claimed is the standard method of transferring any call and successively executing those steps is inherently necessary. If for example, a call was transferred without first determining a transfer-to telephone number, the transferred call would fail because it would not have a destination.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 2 - 6, 8, 10, 12, 14, 15, and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over US 5,923,745 (Hurd), and further in view of US 5,910,983 (Dezonno et al.)

Art Unit: 2642

Regarding claims 2, 4, 6, 8, 10, 12, 14, and 19, Hurd has been discussed above. What Hurd does not teach is the step of transferring a call to a transfer destination telephone number on a private telephone network.

However, Dezonno et al. teaches a method and apparatus for identifying records of overflowed automatic call distributor (ACD) calls, wherein an ACD system 10 has therein internal or private networks 11A, 11B, and 11C and can transfer calls within those internal networks. (Col. 3, line 45 – Col. 4, line 24)

It would have been obvious to one skilled in the art at the time the invention was made to include the internal network transfer feature of Dezonno et al. in the invention of Hurd in order to allow call distribution and transferring within an organization where a number of telephone numbers are used to identify different individuals and functions with that organization as noted in Col. 1 of Dezonno et al.

Regarding claims 3, 5, and 15, Dezonno et al. also teaches the feature of telescripting, an example of a telescripting routing table being shown in Col. 6, lines 35 – 41, wherein telescripting describes routing calls based on time of day, day of week, etc.

3. Claims 9, 11, 17, and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over US 5,923,745 Hurd, and further in view of US 5,915,012 (Miloslavsky).

With regard to claims 9, 11, 17, and 18, Hurd does not teach a system operation state table or circuit.

However, Miloslavsky teaches a system and method for operating a plurality of call centers wherein the system includes a routing server 192 for selecting appropriate agents using the data in stat-server 190, a stat-server 190 read as the claimed "state table" for gathering statistical information on the plurality of call centers, and the functionality of a selecting unit and transfer unit for selecting call centers to transfer call to based on a plethora of variables, including call center congestion and switch activity, and since Miloslavsky teaches that the switch 168, 182 can any type of switch from PSTN switch to PBX to ACD, the call transfer feature is contemplated as residing within both a public and private telephone network. (Abstract, Figs. 2 – 4B, Col. 1, line 54 – Col. 2, line 24, Col. 3, lines 23 – 27, Col. 4, lines 5 – 47, Col. 5, lines 1 – 7, Col. 5, line 29 – Col. 6, line 49, Col. 7, line 1 – Col. 8, line 22)

It would have been obvious to one skilled in the art at the time the invention was made to have included a stat-server in the invention of Hurd so as to allow calls to be routed to agents most qualified to handle them as noted in Col. 2 of Miloslavsky. Moreover both Miloslavsky and Hurd teach transferring calls in a call center environment.

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. US 5,841,854 (Schumacher et al.) teaches wireless telephone integration system and method for call centers and workgroups. US 5,994,386

Art Unit: 2642

(Rogers et al.) teaches a call management system with call control from user workstation computers.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hector A. Agdeppa whose telephone number is 703-305-1844. The examiner can normally be reached on Mon thru Fri 9:30am - 6:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad F. Matar can be reached on 703-305-4731. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

H.A.A.
September 21, 2004

HECTOR A. AGDEPPA
PATENT EXAMINER

